

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10458 of 2019

Arising Out of PS. Case No.-95 Year-2017 Thana- MAHILA P.S. District- Bhojpur

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Bharat Chaudhary, son of Baban Chaudhary @ Baban Bin, Resident of
Village- Mahudhahi Bind Toli, P.S.- Barhara, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 26-02-2019 Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with Mahila
P.S. Case No. 95 of 2017 for the offence under Sections 341,
323, 354(VI), 504/34 of the Indian Penal Code.

Allegation against this petitioner is that he made an
attempt to commit rape upon the informant.

Learned counsel for the petitioner submits that the
petitioner has got no criminal antecedent and he is in custody
since 16.07.2018. He further submits that on account of
previous enmity, the petitioner has been roped in the instant
case. In the supplementary affidavit, a stand has been taken that
the petitioner was not present at the time of occurrence in the
village, as he was in Gauhati (Assam) in connection with job.
He further submits that from the statement of the victim



recorded under Section 164 Cr.P.C., it would be evident that the petitioner has not committed any sexual assault.

Considering the fact that the petitioner has got no criminal antecedent and he has remained in custody for more than 7 months, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I, Ara in connection with Mahila P.S. Case No. 95 of 2017 (POCSO No. 19 of 2017).

(Anil Kumar Upadhyay, J)

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